

MEMORANDUM

Agenda Item No. 11(A)(2)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 8, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to actively pursue and apply for federal and state grants; and delegating authority to the County Mayor to apply for, receive, and expend federal and state grants under certain circumstances

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

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County Attorney

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(2)
7-8-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ACTIVELY PURSUE AND APPLY FOR FEDERAL AND STATE GRANTS; AND DELEGATING AUTHORITY TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, AND EXPEND FEDERAL AND STATE GRANTS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, Miami-Dade County ("County") has applied for and been awarded federal and state grants for funding to address a variety of localized and county-wide issues; and

WHEREAS, for example, the Miami-Dade Police Department has used grant funding to undertake projects that promote community safety and reduce criminal activity; and

WHEREAS, the Miami-Dade Corrections and Rehabilitation Department was awarded grant funding for "Project Second Chance," which provides job placement and training services to incarcerated parents with minor children and implements strategies and activities that promote positive family engagement; and

WHEREAS, the Miami-Dade Public Library System also received grant funds to aid its effort to archive and digitize books, works of art, and other documents of historic and of cultural significance; and

WHEREAS, the Miami-Dade County Community Action and Human Services Department was awarded grant funding to provide substance abuse disorder treatment to racial and ethnic populations throughout the county who are at risk for contracting HIV/AIDS; and

WHEREAS, the Office of Management and Budget-Grants Coordination Division (OMB-GC) assists County departments in applying for federal and state grants, and, pursuant to Resolution No. R-79-03, serves as the fiscal agent for the Eleventh Judicial Circuit of Florida in its applications for grant funding; and

WHEREAS, County departments and staff should be actively pursuing grant opportunities to avail the County of federal and state funding, resources, and support that may be available now and in the future; and

WHEREAS, this Board, through Resolution No. R-1170-06, previously delegated authority to the County Mayor to apply for, accept, and execute grants that meet certain criteria without its prior approval, provided that the grant is subsequently brought before the Board for ratification; and

WHEREAS, in order to qualify under Resolution No. R-1170-06, the grant must meet the following criteria: (1) the amount of funds awarded under the grant is less than \$100,000.00; (2) the grant is for a single department; (3) the grant does not require the provision of new funds to match the grant funds; (4) the terms of the grant will not hinder another County department or the County from seeking other funds; and (5) the granting agency does not require County Commission approval; and

WHEREAS, further, on May 4, 2021, this Board adopted resolution No. R-469-21, which, in part, authorized the County Mayor or County Mayor's designee to pursue and apply for federal and state grants related to environmental issues provided that the amount of grant funds awarded is less than \$1,000,000.00; and

WHEREAS, in other instances, the County Mayor or County Mayor's designee, on behalf of some specific County departments or in furtherance of a project, has been delegated authority to apply for and accept certain grant funds; and

WHEREAS, for example, in section 2-285(6) of the Code of Miami-Dade County, Florida, the County Mayor has been delegated authority on behalf of the Miami-Dade Aviation Department to execute all standard form federal grant documents or state joint participation agreements, including acceptance of grant or joint participation commitments required to be imposed by federal or state law as a condition of the County's receipt of grant or joint participation benefits, subject to ratification of the Board; and

WHEREAS, in Resolution No. R-710-05, this Board delegated authority to the County Mayor to apply for, receive, and expend grant funds for projects listed in the Miami-Dade County Local Mitigation Strategy; and

WHEREAS, notwithstanding these and other specific delegations of authority, there are other occasions where the County may need to quickly apply for, accept, or expend grant funds; and

WHEREAS, many of the grants that the County applies for exceed the \$100,000.00 threshold of Resolution No. R-1170-06 and also may not be solely for a single department; and

WHEREAS, to promote efficient use of County resources, and to facilitate and encourage the County's submission of grant applications, this Board wishes to grant additional delegated authority to the County Mayor or County Mayor's designee to apply for, receive, or expend grant funds,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board hereby directs the County Mayor or County Mayor's designee to actively pursue and apply for federal and state grants.

Section 2. Separate and apart from any prior or separate delegation of authority to the County Mayor or County Mayor's designee to apply for grants, this Board hereby delegates authority to the County Mayor or County Mayor's designee to apply for, receive, and expend federal and state grant funds on the County's behalf, without its prior approval, provided that: (1) the grant does not require the provision of new funds to match the grant funds, and the administration does not need to seek any funding authorization from this Board in connection with the grant; (2) the terms of the grant will not hinder the County from seeking other funds; (3) at the time of award, the grant does not require the execution of a contract with an entity other than the granting agency; and (4) the granting agency does not require Board approval. If, during the grant period, a contract or agreement with an entity other than the granting agency becomes necessary under the grant program guidelines, such contract(s) or agreement(s) shall require prior Board approval.

Section 3. For any grant agreements executed under the authority of this resolution, the County Mayor or County Mayor's designee shall: (1) if the amount of grant funds is \$1,000,000.00 or greater, seek ratification by this Board; or (2) place a bi-annual report on an agenda of this Board pursuant to Ordinance No. 14-65 of all grants received for funds less than \$1,000,000.00. At a minimum, the bi-annual report should include the following information: (1) the granting agency and grant name; (2) the amount of the grant award; (3) a description of the grant project or program; (4) the grant term; (5) departments or entities involved in the grant project or program; (6) any provision of in-kind services; and (7) match funds that received prior Board approval.

The Prime Sponsor of the foregoing resolution is Senator René García. It was offered by
Commissioner _____, who moved its adoption. The motion was seconded by
Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 8th day of July, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

LCK

Leigh C. Kobrinski